

STATEWIDE PURCHASE OF SERVICE STANDARDS



DEPARTMENT OF DEVELOPMENTAL SERVICES

Community Operations Division
1600 Ninth Street, Room 320, MS 3-9
Sacramento, CA 95814-6404

TABLE OF CONTENTS

Article 1. Definitions	1
<i>Section 58700. Meaning of Words.....</i>	<i>1</i>
<i>Section 58701. Definitions.....</i>	<i>2</i>
<i>Section 58702. Terms defined in Other Subchapters.....</i>	<i>4</i>
Article 2. General Standards for Purchase of Service Costs	6
<i>Section 58710. General Standards.....</i>	<i>6</i>
<i>Section 58711. Prohibitions.....</i>	<i>9</i>
Article 3. Additional Requirements for Specific Services	11
<i>Section 58720 Residential Services</i>	<i>11</i>
<i>Section 58721 Adult Day Program Services.....</i>	<i>12</i>
<i>Section 58722 Transportation.....</i>	<i>13</i>
<i>Section 58723 Respite.....</i>	<i>14</i>
<i>Section 58724 Day Care Services.....</i>	<i>15</i>
<i>Section 58725 Early Intervention Services</i>	<i>16</i>
<i>Section 58726 Assistive Technology and Environmental Adaptations</i>	<i>17</i>
<i>Section 58727 Behavioral Services</i>	<i>20</i>
<i>Section 58728 Supported Living Services</i>	<i>22</i>
<i>Section 58729 Specialized Medical and Dental Services</i>	<i>23</i>
<i>Section 58730 Therapies.....</i>	<i>24</i>
<i>Section 58731 Supplemental Services</i>	<i>25</i>

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 1. Definitions

Section 58700. Meaning of Words

Words shall have their usual meaning unless the context or a definition clearly indicates a different meaning. Words used in their present tense include the future tense. Words used in the singular form include the plural form. Use of the word “shall” denotes mandatory conduct and “may” denotes permissive conduct.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 1. Definitions

Section 58701. Definitions

The following definitions shall apply to the regulations contained in this Subchapter:

- a) “Camp” means a residential, day or traveling camp which provides a creative experience in outdoor living for a specified period of time;
- b) “Care giver” means an adult, other than a parent, who has primary responsibility for the care and supervision of a consumer;
- c) “Day care” means the regular care and supervision, for periods of less than 24 hours per day, provided to persons with developmental disabilities who reside in the family home, while the parent or parents are engaged in employment and/or educational activities leading to employment;
- d) “Durable medical equipment” means equipment intended for repeated use, which is primarily and customarily used to serve a medical purpose and is not useful to a person in the absence of an illness, injury or disability;
- e) “Genetic services” means services including, but not limited to, medical testing and counseling to detect risk factors that may lead to a diagnosis of a developmental disability. They are usually provided at genetic centers, perinatal centers, county health departments, and private or specialty clinics;
- f) “Medically necessary” means care that is required for appropriate and necessary treatment of illness, injury or disability, according to accepted standards of medical practice;
- g) “Parent” means a parent, guardian or a person acting as a parent such as a conservator, grandparent or stepparent with whom a consumer lives. Parent also means a person who is legally responsible for the consumer’s welfare or a surrogate parent who has been appointed in accordance with 34 CFR 303.46. The term does not include the State if a minor child is a ward of the State;
- h) “Prenatal diagnostic services” means services used prior to the birth of an infant to detect a condition that may lead to a developmental disability. Such services may

include: Amniocentesis, sonogram, karotyping, biochemical determination, and other accepted diagnostic tools;

- i) “Qualified professional” means a person licensed or certified under applicable laws and regulations of the State of California to perform legal, medical, health or social services for the general public; and
- j) “Self Determination” is a program for adults with developmental disabilities or families of children with developmental disabilities that allows the participants the opportunity to plan, obtain and sustain community-based services, placing control into the hands of the people using the services.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 1. Definitions

Section 58702. Terms defined in Other Subchapters

- a) As used in this Subchapter, the following words and phrases have the meanings specified in Title 17, section 50401:
 - 1) Regional Center.
- b) As used in this Subchapter, the following words and phrases have the meanings specified in Title 17, section 50501:
 - 1) Services.
- c) As used in this Subchapter, the following words and phrases have the meanings specified in Title 17, section 50602:
 - 1) Vendored.
- d) As used in this Subchapter, the following words and phrases have the meanings specified in Title 17, section 52000:
 - 1) Assessment;
 - 2) Individualized Family Service Plan (IFSP);_and,
 - 3) Natural Environment.
- e) As used in this Subchapter, the following words and phrases have the meanings specified in Title 17, section 54000:
 - 1) Developmental Disability.
- f) As used in this Subchapter, the following words and phrases have the meanings specified in Title 17, section 54302:

- 1) Adult Day Program (*Adult Development Center, Social Recreation, Behavior Management Program, Community Based Day-Programs, Independent Living Program*);
 - 2) Mobility Training;
 - 3) Natural Supports;
 - 4) Purchase of Service Funds;
 - 5) Vendor; and,
 - 6) Voucher.
- g) As used in this Subchapter, the following words and phrases have the meanings specified in Title 17, section 56002:
- 1) Program Design; and,
 - 2) Service Level.
- h) As used in this Subchapter, the following words and phrases have the meanings specified in Title 17, section 58601:
- 1) Individual Program Plan (IPP).

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 2. General Standards for Purchase of Service Costs

Section 58710. General Standards

The following standards apply to all consumer services and supports purchased by regional centers, including those services and supports not specifically addressed in this Subchapter. Upon adoption of these standards, previously approved regional center purchase of service policies shall become inoperative. This Subchapter shall become inoperative on July 1, 2007, and as of January 1, 2008, is repealed, unless a later enacted regulation that becomes operative on or before January 1, 2008, deletes or extends the dates on which it becomes inoperative and is repealed.

- a) The standards set forth in this subchapter are not applicable to the services and supports purchased through a self-determination mode of service delivery.
- b) Services and supports purchased by the regional center using POS funds must be:
 - 1) Directed toward the alleviation of a developmental disability; or,
 - 2) Directed toward the social, personal, physical or economic habilitation or rehabilitation of an individual with a developmental disability; or,
 - 3) Directed toward the achievement and maintenance of independent, productive, normal lives.
- c) Pursuant to Welfare and Institutions Code sections 4644 and 4648, regional center funds shall not be used to supplant the budget of any agency which has a legal responsibility to serve all members of the general public and is receiving public funds for providing those services, except as provided in subd. (d) of this section.
- d) Pursuant to Welfare and Institutions Code section 4659, regional centers must identify and pursue all possible alternative sources of funding for services prior to using regional center funds; however, a regional center may fund or purchase necessary services and supports in order to protect the health and safety of a consumer during pendency of an appeal that creates a delay for services. That regional center shall then seek reimbursement from the legally responsible agency upon a favorable determination of the appeal.

- e) For children under the age of three, regional centers may use private insurance as a generic service only if there is no cost to the family as a result of its use. Cost includes deductibles, co-payments, or a reduction in the lifetime benefit cap. Parents may voluntarily access their private insurance after providing informed consent. Regional centers may pay the cost of accessing private insurance (e.g., deductible or co-payment amounts). The pursuit of other sources of funding shall not delay early intervention services specified in the consumer's IFSP.
- f) Private resources, including trusts, court-ordered settlements and payments, may be pursued, but only to the extent that they are liable for the costs of services, aid, insurance, or medical assistance to the consumer;
- g) The cost of providing services by different vendors, if available, shall be reviewed and the least costly vendor who is able to meet the consumer's needs shall be selected.
- h) Regional centers may not impose a co-payment or fee on consumers and/or their families unless authorized by statute to do so.
- i) Natural supports must be utilized, whenever possible, prior to expending regional center purchase of service funds.
- j) Prior to purchasing services and supports for a minor child, the family's responsibility for providing similar services to a minor child without disabilities must be taken into account when identifying the minor child's needs.
- k) The regional center shall maximize federal financial participation for all services and supports purchased by the regional center.
- l) Services must be purchased from an entity or individual vendored by the regional center, except when purchasing services and supports pursuant to section 54356.
- m) Regional centers shall only purchase services and supports outside California pursuant to Welfare and Institutions Code section 4519.
- n) All voucher recipients shall certify compliance with section 54355 and shall certify that the vouchers will be used for only the services authorized by the regional center. Regional centers shall advise, in writing, all recipients of vouchers of the requirements in section 54355.
- o) Services and supports purchased by the regional center shall:
 - 1) Be consistent with the current standard of professional practice;
 - 2) Have a payment rate that is competitive with the rates for other vendors providing similar services within the regional center service area;

- 3) Meet applicable standards of manufacture, design, and installation;
- 4) Meet Underwriter's Laboratory or Federal Communications Commission codes, if appropriate.
- p) Regional centers may establish internal operating processes and procedures to ensure adherence to the law and regulations when purchasing services and supports. Such processes and procedures shall not subvert, alter, compromise or undermine the standards set forth in applicable laws and regulations.
- q) Except for those prohibited services and supports identified in section (Prohibitions), the regional center director or his/her designee may authorize service requests that do not meet the standards in this Subchapter if necessary to protect the health and safety of a consumer, or to prevent the consumer's movement to a more restrictive living environment. Regional centers must maintain, for Department review, written documentation for every service request authorized by the regional center director that does not meet these standards. Documentation shall include information justifying the action.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 2. General Standards for Purchase of Service Costs

Section 58711. Prohibitions

Regional centers shall not expend purchase of service funds for:

- a) Experimental treatments, therapeutic services, or devices that have not been clinically determined or scientifically proven to be effective or safe or for which risks and complications are unknown. This includes experimental medical or nutritional therapy when the use of the product for the purpose proposed is not general physician practice.
- b) Items that have been identified as hazardous by the Academy of Pediatrics or the Consumer Product Safety Commission, or other recognized professional or regulatory body.
- c) Alcoholic beverages.
- d) In-ground swimming pools.
- e) Construction, renovation, alteration, improvement, or repair of real property that is not of direct medical or remedial benefit to the consumer.
- f) Real property or for the State of California owning, or incurring a liability for, real property, except as authorized in Welfare and Institutions Code section 4669.2, subd. (a)(8).
- g) Non-Medi-Cal funded therapies including, but not limited to, recreational therapy, equestrian therapy, art therapy, dance therapy, aquatic/swim therapy, therapeutic play, movement therapy, dolphin therapy, and music therapy.
- h) Purchase or lease of motor vehicles or general vehicle expenses including, but not limited to, repair, maintenance, and insurance.
- i) Travel and lodging expenses associated with recreation for consumers or family members.
- j) Membership in any country club or social or dining club/organization.

- k) Camp fees or travel expenses associated with camp activities.
- l) Social/recreation activities, including those defined in 54302(a)(60) of this subchapter.
- m) Fees to attend any meeting or conference or any travel expenses to any such meeting or conference.
- n) More than 90.5% of the amount billed for the following:
 - 1) Adult Day Program services, as such services are defined in section 58721 of this subchapter.
 - 2) For services vendored, pursuant to sections 54342 or 54356 of this division, as Socialization Training Program, Community Integration Training, Community Activities Support Services, Adaptive Skills Trainer, or Independent Living Specialist.
 - 3) Supported living services, as such services are defined in section 58727 of this subchapter.
- o) Payment of federal or state income tax or penalties or fees associated with payment of federal or state income taxes.
- p) Fund raising.
- q) Lobbying, contributing to, or otherwise supporting any political party, candidate, or ballot issue.
- r) Gifts for consumers or employees.
- s) Legal fees or expenses for the prosecution of claims against the regional center or state agencies.
- t) Those services specified in section 54326, subd. (c)(2) of this division.
- u) Any unlawful item, service or activity.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58720 Residential Services

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of residential services for consumers. Residential services are the provision of personal care, protection, supervision, assistance, and guidance in accordance with the needs of persons with developmental disabilities in a long term care health facility as defined in Health and Safety Code section 1418, a community care facility that provides 24-hour care as defined in Health and Safety Code section 1502, or a family home as defined in section 56076.

- a) Residential services shall be provided in the least restrictive environment that meets the developmental, physical and emotional needs of the consumer, and must meet the following criteria:
 - 1) The facility's program design and service level are appropriate for meeting the needs of the individual.
 - 2) If the consumer is a minor residing in a licensed residential home, the family is required to participate in the Department of Developmental Services' Parental Fee Program and shall complete the family financial statement.
- b) Prior to purchasing residential services for a minor, the regional center shall comply with the requirements of Welfare and Institutions Code section 4685, when remaining in the family home will be in the best interest of the child.
- c) Regional centers shall not pay for residential services for minors or adults who reside in a facility or certified home where the natural parent, adoptive parent, conservator, or guardian is the licensee or operator.
- d) A regional center shall not approve a higher service level, as authorized in section 56005, subd. (c) of this division, for an existing facility unless required to protect the consumer's health or safety.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58721 Adult Day Program Services

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of adult day program services for consumers. Adult day program services provide assistance and training for the development, and/or maintenance of individual self-help, communication, physical mobility, or behavior skills that an adult needs to successfully live and work in the community, and may include adult day programs similar to but not specified in section 54302. Adult day program services include community integration services as well as center-based training, or a combination thereof.

- a) Regional centers shall only purchase an adult day program service for consumers who are at least 18 years of age and are no longer eligible for publicly funded education.
- b) Regional centers may fund an adult day program, up to 30 hours per week, per consumer.
- c) When selecting among vendors, all of which may meet the consumer's identified needs, the regional center shall consider the combined cost of transportation and adult day program, and select the least costly option.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58722 Transportation

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of transportation services. Transportation services mean the conveyance of a consumer including boarding and exiting the vehicle.

- a) Transportation services will be safe and appropriate in meeting the needs of consumers.
- b) The regional center may fund transportation for medical or other essential appointments, where these appointments are related to the developmental disability of the consumer, and the failure to keep the appointment would be detrimental to the individual.
- c) Transportation to social and/or recreational activities is generally the responsibility of the consumer, family and/or licensee, as applicable.
- d) Transportation by taxi shall only be purchased when it is the least costly method of transportation.
- e) Mobility training shall be made available to those consumers who may be able to successfully learn to use public transportation. Consumers who have successfully completed mobility training will be considered for the provision of vendored transportation only when changes in their situations warrant such support.
- f) When a regional center purchases transportation services for infants and toddlers under age three, that infant or toddler must be accompanied by a parent or primary care giver.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58723 Respite

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of respite, as defined in Title 17 section 54302(a)(34) and Title 17 section 56901(b)(26).

- a) Respite may be purchased when the care needs of the consumer exceed that of an individual of the same age without developmental disabilities.
- b) Regional centers may purchase a maximum of 21 days per year of out-of-home respite. Unused out-of-home respite days may not carry over into subsequent years.
- c) Regional centers may purchase a maximum of 72 hours per quarter of in-home respite.
 - 1) Unused in-home respite hours may not carry over into subsequent quarters.
 - 2) Partial days will count as one whole day.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58724 Day Care Services

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of day care services.

- a) Regional centers may pay only the cost of day care services that exceed the cost of providing day care to a child without disabilities.
 - 1) Regional centers may pay the entire cost of day care services when a family can demonstrate a financial need and the services will enable the child to remain in the family home.
 - 2) If the day care provider does not have a fee schedule for services provided to the general public, the regional center may refer to the Regional Market Rate Ceilings for California Child Care Providers as a guide for negotiating a mutually agreeable rate with the vendor. The Regional Market Rate Ceilings for California Child Care Providers is available from the California Department of Social Services and is updated annually.
 - 3) Regional centers may not fund day care during hours when the child is normally attending school or other similar programs. Day care shall not be provided in place of a school program and is not a substitute for school.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58725 Early Intervention Services

In addition to the general standards listed in Article 2 of this Subchapter and other standards in this article, the following standards govern regional centers' purchase of early intervention services for consumers. Early intervention services are those services designed to meet the developmental needs of each eligible infant or toddler from birth to 36 months of age and the needs of the family related to enhancing the child's development. Early intervention services include a coordinated program of assessment and developmental services.

- a) An infant or toddler shall be eligible for early intervention services if he or she needs early intervention services, is between birth up to thirty-six months of age, and meets one of the criteria specified in Section 52022.
- b) Early intervention services shall be provided at no cost to the family.
- c) Use of private insurance for early intervention services must be voluntary and requires the parent's informed consent where the parent(s) would incur a financial cost, e.g., a decrease in lifetime coverage, an increase in premiums, policy cancellation, or an out of pocket expense such as a deductible or co-payment. Regional centers may cover deductible or co-payment costs in order to access private insurance benefits.
- d) To the maximum extent appropriate to the needs of the child, early intervention services must be provided in natural environments, including the home and community settings in which children without disabilities participate unless the developmental outcomes for the child cannot be met in that setting.
- e) Early intervention services may not be delayed while a regional center seeks alternative resources, or pending a formal appeal of another agency's funding denial. Early intervention services specified on the IFSP shall begin as soon as possible.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58726 Assistive Technology and Environmental Adaptations

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of assistive technology and environmental adaptations for consumers. Assistive technology and environmental adaptations are specialized supports directed toward the social, personal, or physical habilitation of an individual with a developmental disability, resulting in the achievement and maintenance of a more independent, productive life. Assistive technology and environmental adaptations may include, but are not limited to: computers, specially adaptive devices such as eating utensils, reaching devices, electric door openers, ramps, electronic speech enhancers, and housing modifications.

- a) An assessment or evaluation must be conducted by a qualified professional prior to the purchase of assistive technology and environmental adaptations.
 - 1) Evaluations must include the justification for the requested assistive technology and/or environmental adaptations, including a description of the benefit to the consumer.
- b) Regional centers may fund the repair of broken assistive technology and/or environmental adaptations providing the warranty instructions were properly followed by the responsible party.
 - 1) Regional centers may purchase extended warranties when appropriate.
 - 2) Under conditions of normal wear, the regional center may fund the repairs of assistive technology and/or environmental adaptations no more than once per year.
- c) The cost of renting assistive technology and environmental adaptation devices should not exceed the replacement cost of that device.
- d) Any structural modifications that might be made are to be performed by a licensed contractor and must meet all applicable building, zoning, safety codes and regulations.

- 1) For the regional center to pay for a permanent modification to a consumer's residence, the consumer and/or family must own the residence.
 - 2) If a consumer lives in a rental property, temporary adaptations may be made in extraordinary circumstances.
- e) Regional centers may purchase vehicle adaptations. Vehicle adaptations are devices, controls, or services which enable consumers to increase their independence or physical safety.
- 1) Regional centers may pay for the repair, maintenance, installation, and training and the care of the vehicle adaptations. Repairs to and maintenance of vehicle adaptations shall be performed by the manufacturer's authorized dealer, where possible.
 - 2) Vehicle adaptations must be performed by the manufacturer's authorized dealer.
 - 3) The following types of adaptations to the vehicle are allowable:
 - A) Door handle replacements;
 - B) Door widening;
 - C) Lifting devices;
 - D) Wheelchair securing devices;
 - E) Adapted seat devices;
 - F) Adapted steering, acceleration, signaling, and braking devices; and
 - G) Handrails and grab bars.
- f) Adaptations or modifications to vehicles shall be included if, on an individual basis, the vehicle adaptations or modifications is the least costly alternative transportation service.
- g) Adaptations to vehicles are limited to vehicles owned by the consumer or the consumer's parent.
- h) Vehicle adaptations will only be provided when they are documented in the individual program plan and when there is a written assessment by a licensed physical therapist or registered occupational therapist.
- i) Parents are responsible to purchase car seats for their child as required by California law.

- j) A regional center may purchase assistive technology feeding devices and/or environmental adaptations when a consumer is unable to consume enough calories by mouth for age-appropriate growth, development, or nutritional intake.
- k) A regional center may purchase communication devices; however, such devices must be portable.
 - 1) Environmental supports must be in place to ensure safe and appropriate usage.
 - 2) In some instances the assistive technology and environmental adaptations required to facilitate improved communication may include computerized assistive technology and environmental adaptations.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58727 Behavioral Services

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of behavioral services for consumers. Behavioral services are intended to assist consumers and parents or primary care givers to teach important social and adaptive skills to consumers and to train family members, or primary care givers, in the effective use of positive behavior management skills.

- a) A regional center may purchase behavioral services following an assessment by a qualified professional that includes a treatment plan identifying goals, objectives, measurable outcomes, frequency of periodic assessment, and level of service and when the following criteria are met:
 - 1) The consumer engages in behaviors that pose a serious threat, or may pose a threat if behavioral services are not provided, to his or her living arrangement or program; or
 - 2) The consumer displays behaviors that pose a threat, or may pose a threat if behavioral services are not provided, to his/her health or safety or the health or safety of others.
- b) Individuals receiving treatment for autistic spectrum disorders shall have:
 - 1) Treatment that is based on current research and effective practices;
 - 2) Treatment that is based on comprehensive assessment results;
 - 3) Treatment that is outcome based;
 - 4) Treatment that is provided by appropriately trained personnel, which can include, but is not limited to, parents;
 - 5) Treatment that is reflective of the individual's areas of need which drives the service plan;

- 6) To the extent possible, a parent or care giver who is willing and able to support and participate in the treatment program;
- c) Behavioral services shall not exceed the time, scope and duration identified by a qualified professional necessary to achieve the consumer's individual program plan objectives.
- d) A parent or care giver shall not be reimbursed for any treatment services they may provide.
- e) All behavior services shall be assessed for effectiveness at the frequency described in the treatment plan.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58728 Supported Living Services

In addition to the general standards listed in Article 2 of this Subchapter, SLS shall be selected and purchased in accordance with Subchapter 19 of this Chapter.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58729 Specialized Medical and Dental Services

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of specialized medical and dental services. Specialized medical and dental services are services provided on an individual basis to improve and maintain a consumer's health or dental status. The purchase of medications, medical supplies (including items necessary for life support, ancillary supplies and equipment necessary to the proper functioning of such items), durable medical equipment (including the repair, maintenance, installation and training in the care and use), nursing, prevention, and psychiatric services (when Medi-Cal nor private insurance is available) is included within this section.

- a) Medical supplies may be purchased when it is deemed medically necessary for the consumer, or to allow the consumer greater independence. Medical supplies must be prescribed by an appropriately qualified professional.
- b) Prescriptions must be supported by medical evaluation and lab reports which indicate the diagnoses and symptoms for which the drugs are being prescribed, substantiate the need for medication intervention, and provide monitoring of therapeutic medication levels. Generic medications must be utilized unless medical documentation stating the reasons why generic drugs are not being prescribed is provided for prescriptions for brand name medications.
- c) The regional center may purchase specialized clinical and diagnostic assessment services as well as preventive services pursuant to Welfare and Institutions Code section 4644.
- d) A regional center may purchase diapers pursuant to Welfare and Institutions Code section 4685, subd. (c)(7).

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58730 Therapies

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of therapy services for consumers. For purposes of this article, therapy services are defined as those services which are provided to the consumer to prevent deterioration of a specific dysfunction or to improve the functional level of the consumer. Therapy includes physical therapy, occupational therapy, respiratory therapy, speech therapy, and therapy services performed by a psychologist. Therapy services includes evaluations related to assessing the consumer's current level of functioning and the need for services.

- a) An assessment by a qualified professional must be completed and include a treatment plan that identifies goals, objectives with timelines, measurable outcomes and level of service.
- b) Therapy services shall not exceed the time, scope and duration necessary to achieve the consumer's individual program plan objectives.

Title 17 California Code of Regulations

Division 2. Health and Welfare Agency—Department of Developmental Services

Chapter 3. Community Services

Subchapter 20 Regional Center Purchase of Services Standards

Article 3. Additional Requirements for Specific Services

Section 58731 Supplemental Services

In addition to the general standards listed in Article 2 of this Subchapter, the following standards govern regional centers' purchase of supplemental services for consumers. Supplemental services are the additional staffing to support an individual consumer for a specified period of time. Supplemental services are to enable consumer access or transition to a specific community setting, such as a work program, day program, residential care facility, or other living arrangement, or to maintain the consumer in the least restrictive, most appropriate setting.

- a) A regional center may purchase supplemental services only when the additional staff are in excess of the amount required by regulation, and there is an assessment by a qualified professional that includes a plan identifying goals, objectives, and measurable outcomes.
- b) In no event shall the supplemental services exceed the time, scope and duration identified by the planning team necessary to achieve the consumer's individual program plan objectives.
- c) Regional centers shall review programs not less than bi-annually to ensure that the supplemental staff is being provided and utilized appropriately.

Regional Centers: Statewide Purchase of Service (POS) Standards--General Fund (GF) Savings by Service Category

Preliminary Estimate--\$100 Million GF Savings in POS

(Based on 2003-04 Governor's Budget, November Estimate dated January 10, 2003, and Reflects 2003-04 BCP: Enhancing FFP, Phase II)

Purchase of Service (POS) Category	A Total POS Est. 2003-04	B Service Reduction %	C Total Savings A x B	D Lost FFP	E GF Match (BCP Reflected)	F Unmatched GF (100% GF) (BCP Reflected)	G GF Savings: GF Match + Unmatched GF E + F	H Lost FFP & GF Savings D + G
A. Payment Reductions	\$50,307,000							
Total GF Savings								
1. ADP--Activity Center	Nov Est. \$50,195,485 BCP \$0							
	\$50,195,485	9.50%	\$4,768,571	\$1,540,676	\$1,540,676	\$1,687,219	\$3,227,895	\$4,768,571
2. ADP--Adult Developmental Center	Nov Est. \$282,293,684 BCP \$0							
	\$282,293,684	9.50%	\$23,967,900	\$6,952,081	\$6,952,081	\$10,063,737	\$17,015,819	\$23,967,900
3. ADP--Behavior Management Program	Nov Est. \$117,920,798 BCP \$0							
	\$117,920,798	9.50%	\$11,202,476	\$4,008,196	\$4,008,196	\$3,186,083	\$7,194,280	\$11,202,476
4. ADP--Independent Living Program	Nov Est. \$68,464,157 BCP \$0							
	\$68,464,157	9.50%	\$6,504,095	\$1,429,364	\$1,429,364	\$3,645,367	\$5,074,731	\$6,504,095
5. ADP--Other (Look Alikes*)	Nov Est. \$37,910,931 BCP \$0							
	\$37,910,931	9.50%	\$3,601,538	\$866,241	\$866,241	\$1,869,056	\$2,735,297	\$3,601,538
6. Supported Living	Nov Est. \$222,929,487 BCP \$0							
	\$222,929,487	9.50%	\$21,178,301	\$6,118,928	\$6,118,928	\$8,940,446	\$15,059,373	\$21,178,301
B. Service Level Freeze	\$7,006,000							
Total GF Savings								
1. Residential Services	Nov Est. \$567,203,011 BCP \$0							
	\$567,203,011	2%	\$11,344,060	\$4,338,172	\$4,338,172	\$2,667,715	\$7,005,888	\$11,344,060
C. Service Efficiencies	\$15,993,000							
Total GF Savings								
1. Transportation	Nov Est. \$188,869,312 BCP \$1,609,000							
	\$170,478,312	10.0%	\$17,047,831	\$6,369,640	\$6,369,640	\$4,308,550	\$10,678,191	\$17,047,831
2. Supplemental Program Support (1:1)	Nov Est. \$30,720,354 BCP \$0							
	\$30,720,354	20.0%	\$6,144,071	\$1,808,091	\$1,808,091	\$2,527,888	\$4,335,979	\$6,144,071
3. Behavioral Services	Nov Est. \$55,084,869 BCP \$0							
	\$55,084,869	2.0%	\$1,101,697	\$122,921	\$122,921	\$855,855	\$978,776	\$1,101,697
D. Service Elimination	\$27,017,000							
Total GF Savings								
1. ADP--Social Recreation	Nov Est. \$2,900,976 BCP \$0							
	\$2,900,976	100.0%	\$2,900,976	\$576,053	\$576,053	\$1,748,870	\$2,324,923	\$2,900,976
2. Social/Recreational Activities	Nov Est. \$15,838,391 BCP \$0							
	\$15,838,391	100.0%	\$15,838,391	\$2,271,503	\$2,271,503	\$11,295,386	\$13,566,888	\$15,838,391
3. Camping	Nov Est. \$5,183,256 BCP \$0							
	\$5,183,256	100.0%	\$5,183,256	\$820,739	\$820,739	\$3,541,779	\$4,362,518	\$5,183,256
4. Non-medical Therapy Services	Nov Est. \$7,783,862 BCP \$0							
	\$7,783,862	100.0%	\$7,783,862	\$1,021,197	\$1,021,197	\$5,741,469	\$6,762,666	\$7,783,862
E. No Changes								
1. Respite	\$197,861,255							
2. Infant Program Services	\$88,987,435							
3. Medical Care and Services	\$64,877,342							
4. Day Care	\$38,228,081							
5. Medical Equipment/Supplies	\$7,175,571							
6. Environmental & Vehicle Modification	\$2,063,289							
7. Mobility Training	\$585,986							
8. Other POS	\$32,201,506							
9. Other POS /CPP Start-up	\$7,252,000							
10. Other POS/Non-CPP Start-up	\$0							
11. Other POS/SSP Restoration	\$6,642,372							
Subtotal	\$445,874,836							
F. TOTAL	Nov Est. a/ \$2,049,173,000 BCP \$1,609,000							
			\$138,567,000	\$38,244,000	\$38,244,000	\$62,079,000	\$100,323,000	\$138,567,000

a/ 2003-04 November Estimate, BY 2003-04, Page F-7

\$2,049,173,000 Subtotal BY 2003-04 POS
 -\$100,000,000 2003-04 Statewide Service Standards
 -\$2,074,000 Revision of Eligibility Definitions
 \$1,947,099,000 Grand Total BY 2003-04 POS